

AMENDED IN ASSEMBLY APRIL 6, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2464**

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**Introduced by Assembly Member Huffman**  
*(Coauthors: Assembly Members Eng and Torlakson)*

February 19, 2010

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An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2464, as amended, Huffman. Vehicles: provisional licensing.

~~(1) The~~

*The* Brady-Jared Teen Driver Safety Act of 1997 allows for the issuance of a driver's license to ~~a person~~ *an applicant who is* at least 16 years of age but under 18 years of age pursuant to the provisional licensing program. Under the act, licensees are required to meet specified requirements, driver education, and training.

This bill would ~~raise the maximum age of a person who would be required to be issued a driver's license pursuant to the provisional licensing program to 21 years of age. The bill would in addition require a person participating in the provisional licensing program who has a valid that the instruction permit is not valid until the applicant to complete at least completes~~ the first lesson of behind-the-wheel instruction ~~before operating a motor vehicle. The bill would eliminate one of 3 training and instructional options required for obtaining a provisional license and would require the integrated driver education and training program option to include a phase 2 training to develop crash avoidance skills. The bill would require the person to record and maintain a supervised driving log and submit to a driving school the~~

~~driving log certifying that he or she has completed the required amount of driving practice before starting phase 2 training and before being issued a Behind-the-Wheel Completion Certificate. Because a violation of this provision is a crime, this bill would impose a state-mandated local program. The bill would provide that a person is not qualified to receive a Certificate of Completion of Behind-the-Wheel Driver Training unless the person records, maintains, and submits a supervised driving log to a driving school or independent driving instructor showing that the required amount of driving practice has been completed.~~

~~The bill would require driving instructors teaching the above-described phase 2 training to meet specified requirements and would require an owner of a driving school that is not a public or private secondary school to make a certification under penalty of perjury regarding the qualifications of those instructors. Because a violation of these requirements would be a crime, the bill would impose a state-mandated local program.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~.  
State-mandated local program: ~~yes-no~~.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) The National Transportation Safety Board, on August 5,  
4 2005, concluded that “the 56-year-old formula of 30 hours of  
5 classroom training followed sequentially by 6 hours of  
6 behind-the-wheel training was determined arbitrarily and is  
7 probably inadequate to teach teenagers the skills necessary to drive  
8 safely on today’s roadways.” Moreover, the report indicates that  
9 researchers “have shown that driver education accomplished in 30  
10 hours of classroom and 6 hours of behind-the-wheel training,  
11 cannot reasonably be expected to transform a nondriver into a safe  
12 driver.”

13 (b) At the recommendation of the National Transportation Safety  
14 Board, the National Highway Traffic Safety Administration

(NHTSA) completed a nearly four-year project that concluded on April 16, 2009, with the publication of the Novice Teen Driver Education and Training Administrative Standards (NTDET AS). These new training standards for novice drivers reflect the collective knowledge and experience of both research and practice in driver education and training today. Organizations participating in this project include the NHTSA, the American Driver and Traffic Safety Education Association (ADTSEA), the American Automobile Association (AAA) Foundation for Traffic Safety, the Driving School Association of the Americas, as well as 58 driver education and training specialists, and state administrators from the United States and Canada. New training standards for novice drivers include both of the following:

(1) Completion of a minimum of 45 hours of classroom theory that includes risk management principles in all driving situations.

(2) Completion of a minimum of 10 hours of behind-the-wheel instruction that includes crash avoidance and risk management skill training in all driving situations and using visual search skills to obtain current information and make reduced-risk decisions for effective speed and position adjustments.

(c) In February 2008, the Center on Juvenile and Criminal Justice reported the following problems with graduated driver licensing:

(1) It is based on age, the least important factor, rather than based on important individual and social factors.

(2) It fails to address localized variations, such as poverty, older vehicles, and other factors.

(3) It fails to address high-risk drivers. In fact, this failure may worsen the problem by deputizing high-risk parents to train their children.

(4) It reduces the number of crashes caused by 16- and 17-year-old drivers by reducing their driving instead of improving their skills, thus resulting in less-experienced 18- and 19-year-old drivers.

(d) The Center on Juvenile and Criminal Justice recommends the following for driver licensing:

(1) Change the current graduated licensing law from an age-based process to a skill- and competence-based process.

(2) Award driving privileges to novice drivers of all ages based on rigorously testing on-the-road driving skills and knowledge,

1 not on enduring arbitrary delays and restrictions until a certain age  
2 is reached.

3 (3) Reinstate professionalism in driver training and not presume  
4 the driving ability of anyone over 25 years of age.

5 (e) The AAA Foundation for Traffic Safety reports that the  
6 majority of novice driver crashes are due to inexperience. Novice  
7 teenage drivers must be given the skills needed to avoid crashes.  
8 Car crashes are the number one cause of death among 15 to 20  
9 year olds. First-year teenage drivers have 10 times the crashes per  
10 mile as adults. Novice teenage drivers do not recognize the risks  
11 involved with driving a motor vehicle and unsafe behavior. What  
12 they do not know leads to false confidence. This same pattern  
13 exists at all ages and levels of experience.

14 (f) On January 18, 2006, the AAA Foundation for Traffic Safety  
15 reported that the majority of people killed in teenage driver crashes  
16 are people other than the teenage drivers themselves. Young novice  
17 drivers comprise slightly more than one-third of all the fatalities  
18 in crashes in which they are involved, whereas nearly two-thirds  
19 of those killed are other vehicle users and pedestrians. These  
20 statistics provide new urgency to the need to develop new training  
21 modalities that will substantially reduce these tragic deaths.

22 (g) The goal of the California Strategic Highway Safety Plan -  
23 Challenge 6: Reduce Young Driver Fatalities is to reduce the  
24 number of fatalities involving drivers between 15 and 20 years of  
25 age by 15 percent from their 2004 level of 811 deaths. Fatalities  
26 among those drivers averaged 801 highway fatalities during the  
27 13-year span between 1995 and 2007. Novice drivers must be  
28 given the skills needed to avoid fatal crashes. The Strategic  
29 Highway Safety Program has determined that the traffic safety  
30 economic impact to California for each highway fatality is  
31 \$4,100,000. Considering the value of a life, the costs of  
32 rehabilitation, and the pain and suffering of a lost loved one, the  
33 economic justification for collision prevention training is  
34 overwhelming and obvious.

35 (h) According to traffic safety researcher, Dr. Richard Harkness  
36 of Sacramento-based Advanced Drivers Education Products and  
37 Training, Incorporated, there is an overwhelming consensus in the  
38 research that suggests that traditional prelicensing driver education  
39 and training produces little or no crash reduction benefit for young  
40 drivers. Several significant flaws in driver training that appear to

1 be responsible for the disappointing crash reduction performance  
2 observed in most of the research include:

3 (1) Driver education and in-car training targets the rules of the  
4 road and the Department of Motor Vehicles drive test, not crash  
5 reduction.

6 (2) Most of the content of driver education or training is  
7 opinion-based and not science-based regarding crash reduction.

8 (3) Learning and teaching effectiveness evaluations are virtually  
9 nonexistent in the driver training industry as is contemporary  
10 instructional design or technology.

11 (4) Novice teenage drivers have not developed basic driving  
12 skills and their cognitive learning level is not ready to master  
13 complex collision prevention training.

14 (i) Teaching and retention of advanced skills collision prevention  
15 training during the initial stage of in-car training for teenagers are  
16 difficult and problematic at best. Advanced safety skill acquisition  
17 requires skill integration and multitasking. Research has shown  
18 that advanced driver skills, such as collision prevention training,  
19 cannot be effectively mastered until the teenager has some real  
20 and meaningful on-the-road driving experience.

21 (j) In 2007, the American Association of State Highway and  
22 Transportation Officials (AASHTO), in cooperation with the  
23 Federal Highway Administration, issued its Strategic Highway  
24 Safety Plan to reduce annual highway fatalities to 1.0 fatality per  
25 100 million vehicle-miles of travel. The report includes: A Guide  
26 for Reducing Collisions Involving Young Drivers. The report  
27 strongly acknowledges that young, inexperienced teenage drivers  
28 “clearly make poor judgments in their first many months of driving,  
29 resulting in a high crash rate. These failed judgments often  
30 represent mistakes in assessing, or in even noticing, hazards in the  
31 driving environment. They also reflect misconceptions about  
32 drivers’ limited abilities and their susceptibility to crashing.  
33 Therefore, a promising approach for improving young driver safety  
34 may lie in more effectively training them to perceive hazards and  
35 to respond accordingly, rather than focusing on the kinds of basic  
36 vehicle control skills that are frequently and mistakenly equated  
37 with safe driving.”

38 (k) Organizations on record that recommend that driver  
39 education and training programs for novice drivers focus on vehicle  
40 handling and crash avoidance, driver behavior, and risk reduction

1 include the AAA Foundation for Traffic Safety, the American  
2 Driver and Traffic Safety Education Association, the Governors'  
3 Highway Safety Association, the National Highway Traffic Safety  
4 Administration, the Driving School Association of the Americas,  
5 Incorporated, the American Association of State Highway and  
6 Transportation Officials, Advanced Drivers Education Products  
7 and Training, Incorporated, the Driving School Association of  
8 California, Incorporated, and the Federal Highway Administration.

9 (l) The lifesaving benefits of crash avoidance training have been  
10 recognized by the Department of Insurance that authorizes a  
11 20-percent automobile insurance policy premium discount for  
12 teenagers 16 to 18 years of age who complete designated crash  
13 avoidance training. The discount translates into several hundred  
14 dollars a year for most insured drivers that is tantamount to  
15 refunding the cost of collision prevention training over a three-year  
16 period. Through the discount, parents actually save substantially  
17 while providing lifesaving crash avoidance training for their  
18 teenagers.

19 SEC. 2. Section 12814.6 of the Vehicle Code is amended to  
20 read:

21 12814.6. (a) Except as provided in Section 12814.7, a driver's  
22 license issued to a person at least ~~16~~ 18 years of age but under 21  
23 years of age shall be issued pursuant to the provisional licensing  
24 program contained in this section. The program shall consist of  
25 all of the following components:

26 (1) Upon application for an original license, the applicant shall  
27 be issued an instruction permit pursuant to Section 12509. A person  
28 who has in his or her immediate possession a valid permit issued  
29 pursuant to Section 12509 may operate a motor vehicle, other than  
30 a motorcycle or motorized bicycle, only when the person is either  
31 taking the driver training instruction referred to in paragraph (3)  
32 ~~and has completed at least the first lesson of behind-the-wheel~~  
33 ~~instruction, or practicing that instruction after completion of at~~  
34 ~~least the first behind-the-wheel instruction, provided the person~~  
35 ~~or practicing that instruction, provided the person~~ is accompanied  
36 by, and is under the immediate supervision of, a California licensed  
37 driver 25 years of age or older whose driving privilege is not on  
38 probation. The age requirement of this paragraph does not apply  
39 if the licensed driver is the parent, spouse, or guardian of the  
40 permitholder or is a licensed or certified driving instructor.

1     (2) *The instruction permit is not valid until the applicant*  
2     *completes the first lesson of behind-the-wheel instruction.*

3     ~~(2)~~

4     (3) The person shall hold an instruction permit for not less than  
5     six months prior to applying for a provisional driver's license.

6     ~~(3)~~

7     (4) (A) The person shall have complied with ~~either one of the~~  
8     following:

9     (i) Satisfactory completion of approved courses in automobile  
10    driver education and driver training maintained pursuant to  
11    provisions of the Education Code in any secondary school of  
12    California, or equivalent instruction in a secondary school of  
13    another state.

14    (ii) Satisfactory completion of an integrated driver education  
15    and training program that is approved by the department and  
16    conducted by a driving instructor licensed under Chapter 1  
17    (commencing with Section 11100) of Division 5. The program  
18    shall utilize segmented modules, whereby a portion of the  
19    educational instruction is provided by, and then reinforced through,  
20    specific behind-the-wheel training before moving to the next phase  
21    of driver education and training. ~~The program shall be taught in~~  
22    ~~two phases. Phase one shall contain a minimum of 30 hours of~~  
23    ~~classroom instruction and six hours of behind-the-wheel training.~~  
24    ~~The person shall complete a minimum of 30 hours of supervised~~  
25    ~~driving practice prior to starting phase two training that shall~~  
26    ~~include four hours of defensive driving classroom instruction~~  
27    ~~integrated with four hours of the crash avoidance training skills~~  
28    ~~that include visual search, hazard detection, risk assessment, space~~  
29    ~~management, and speed control. The person shall record and~~  
30    ~~maintain a supervised driving log provided by the driving school~~  
31    ~~and shall submit to the driving school the supervised driving log,~~  
32    ~~certifying that the person has completed the required amount of~~  
33    ~~driving practice and is prepared to start phase two training.~~

34    (iii) *Satisfactory completion of six hours or more of*  
35    *behind-the-wheel instruction by a driving school or independent*  
36    *driving instructor licensed under Chapter 1 (commencing with*  
37    *Section 11100) of Division 5 and either an accredited course in*  
38    *automobile driver education in any secondary school of California*  
39    *pursuant to provisions of the Education Code or satisfactory*  
40    *completion of equivalent professional instruction acceptable to*

1 *the department. To be acceptable to the department, the*  
2 *professional instruction shall meet minimum standards to be*  
3 *prescribed by the department, and the standards shall be at least*  
4 *equal to the requirements for driver education and driver training*  
5 *contained in the rules and regulations adopted by the State Board*  
6 *of Education pursuant to the Education Code. A person who has*  
7 *complied with this clause shall not be required by the governing*  
8 *board of a school district to comply with clause (i) in order to*  
9 *graduate from high school.*

10 ~~(B) A person who has complied with this subdivision shall not~~  
11 ~~be required by the governing board of a school district to comply~~  
12 ~~with clause (i) of subparagraph (A) in order to graduate from high~~  
13 ~~school.~~

14 ~~(C)~~  
15 (B) Except as provided under clause (ii) of subparagraph (A),  
16 a student shall not take driver training instruction, unless he or she  
17 has successfully completed driver education.

18 ~~(4)~~  
19 (5) The person shall complete 50 hours of supervised driving  
20 practice prior to the issuance of a provisional license, which is in  
21 addition to any other driver training instruction required by law.  
22 Not less than 10 of the required practice hours shall include driving  
23 during darkness, as defined in Section 280. ~~The person shall submit~~  
24 ~~to the driving school the supervised driving log, certifying that the~~  
25 ~~applicant has completed the required amount of driving practice~~  
26 ~~before being issued a Behind-the-Wheel Completion Certificate.~~  
27 *A person is not qualified to receive a Certificate of Completion of*  
28 *Behind-the-Wheel Driver Training unless the person records,*  
29 *maintains, and submits to the driving school or independent driving*  
30 *instructor licensed under Chapter 1 (commencing with Section*  
31 *11100) of Division 5 a supervised driving log showing that the*  
32 *required amount of driving practice has been completed. Upon*  
33 *application for a provisional license, the person shall submit to the*  
34 *department the certification of a parent, spouse, guardian, or*  
35 *licensed or certified driving instructor that the applicant has*  
36 *completed the required amount of driving practice and is prepared*  
37 *to take the department's driving test. A person without a parent,*  
38 *spouse, guardian, or who is an emancipated minor, may have a*  
39 *licensed driver 25 years of age or older or a licensed or certified*

1 driving instructor complete the certification. This requirement does  
2 not apply to motorcycle practice.

3 ~~(5)~~

4 (6) The person shall successfully complete an examination  
5 required by the department. Before retaking a test, the person shall  
6 wait for not less than one week after failure of the written test and  
7 for not less than two weeks after failure of the driving test.

8 (b) Except as provided in Section 12814.7, the provisional  
9 driver's license shall be subject to all of the following restrictions:

10 (1) Except as specified in paragraph (2), during the first 12  
11 months after issuance of a provisional license the licensee shall  
12 not do any of the following unless accompanied and supervised  
13 by a licensed driver who is the licensee's parent or guardian, a  
14 licensed driver who is 25 years of age or older, or a licensed or  
15 certified driving instructor:

16 (A) Drive between the hours of 11 p.m. and 5 a.m.

17 (B) Transport passengers who are under 20 years of age.

18 (2) A licensee may drive between the hours of 11 p.m. and 5  
19 a.m. or transport an immediate family member without being  
20 accompanied and supervised by a licensed driver who is the  
21 licensee's parent or guardian, a licensed driver who is 25 years of  
22 age or older, or a licensed or certified driving instructor, in the  
23 following circumstances:

24 (A) Medical necessity of the licensee when reasonable  
25 transportation facilities are inadequate and operation of a vehicle  
26 by a minor is necessary. The licensee shall keep in his or her  
27 possession a signed statement from a physician familiar with the  
28 condition, containing a diagnosis and probable date when sufficient  
29 recovery will have been made to terminate the necessity.

30 (B) Schooling or school-authorized activities of the licensee  
31 when reasonable transportation facilities are inadequate and  
32 operation of a vehicle by a minor is necessary. The licensee shall  
33 keep in his or her possession a signed statement from the school  
34 principal, dean, or school staff member designated by the principal  
35 or dean, containing a probable date that the schooling or  
36 school-authorized activity will have been completed.

37 (C) Employment necessity of the licensee when reasonable  
38 transportation facilities are inadequate and operation of a vehicle  
39 by a minor is necessary. The licensee shall keep in his or her  
40 possession a signed statement from the employer, verifying

1 employment and containing a probable date that the employment  
2 will have been completed.

3 (D) Necessity of the licensee or the licensee's immediate family  
4 member when reasonable transportation facilities are inadequate  
5 and operation of a vehicle by a minor is necessary to transport the  
6 licensee or the licensee's immediate family member. The licensee  
7 shall keep in his or her possession a signed statement from a parent  
8 or legal guardian verifying the reason and containing a probable  
9 date that the necessity will have ceased.

10 (E) The licensee is an emancipated minor.

11 (c) A law enforcement officer shall not stop a vehicle for the  
12 sole purpose of determining whether the driver is in violation of  
13 the restrictions imposed under subdivision (b).

14 (d) A law enforcement officer shall not stop a vehicle for the  
15 sole purpose of determining whether a driver who is subject to the  
16 license restrictions in subdivision (b) is in violation of Article 2.5  
17 (commencing with Section 118947) of Chapter 4 of Part 15 of  
18 Division 104 of the Health and Safety Code.

19 (e) (1) Upon a finding that any licensee has violated paragraph  
20 (1) of subdivision (b), the court shall impose one of the following:

21 (A) Not less than eight hours nor more than 16 hours of  
22 community service for a first offense and not less than 16 hours  
23 nor more than 24 hours of community service for a second or  
24 subsequent offense.

25 (B) A fine of not more than thirty-five dollars (\$35) for a first  
26 offense and a fine of not more than fifty dollars (\$50) for a second  
27 or subsequent offense.

28 (2) If the court orders community service, the court shall retain  
29 jurisdiction until the hours of community service have been  
30 completed.

31 (3) If the hours of community service have not been completed  
32 within 90 days, the court shall impose a fine of not more than  
33 thirty-five dollars (\$35) for a first offense and not more than fifty  
34 dollars (\$50) for a second or subsequent offense.

35 (f) A conviction of paragraph (1) of subdivision (b), when  
36 reported to the department, shall not be disclosed as otherwise  
37 specified in Section 1808 or constitute a violation point count value  
38 pursuant to Section 12810.

39 (g) Any term of restriction or suspension of the driving privilege  
40 imposed on a person pursuant to this subdivision shall remain in

1 effect until the end of the term even though the person becomes  
2 18 years of age before the term ends.

3 (1) The driving privilege shall be suspended when the record  
4 of the person shows one or more notifications issued pursuant to  
5 Section 40509 or 40509.5. The suspension shall continue until any  
6 notification issued pursuant to Section 40509 or 40509.5 has been  
7 cleared.

8 (2) A 30-day restriction shall be imposed when a driver's record  
9 shows a violation point count of two or more points in 12 months,  
10 as determined in accordance with Section 12810. The restriction  
11 shall require the licensee to be accompanied by a licensed parent,  
12 spouse, guardian, or other licensed driver 25 years of age or older,  
13 except when operating a class M vehicle, or so licensed, with no  
14 passengers aboard.

15 (3) A six-month suspension of the driving privilege and a  
16 one-year term of probation shall be imposed whenever a licensee's  
17 record shows a violation point count of three or more points in 12  
18 months, as determined in accordance with Section 12810. The  
19 terms and conditions of probation shall include, but not be limited  
20 to, both of the following:

21 (A) The person shall violate no law which, if resulting in  
22 conviction, is reportable to the department under Section 1803.

23 (B) The person shall remain free from accident responsibility.

24 (h) Whenever action by the department under subdivision (g)  
25 arises as a result of a motor vehicle accident, the person may, in  
26 writing and within 10 days, demand a hearing to present evidence  
27 that he or she was not responsible for the accident upon which the  
28 action is based. Whenever action by the department is based upon  
29 a conviction reportable to the department under Section 1803, the  
30 person has no right to a hearing pursuant to Article 3 (commencing  
31 with Section 14100) of Chapter 3.

32 (i) The department shall require a person whose driving privilege  
33 is suspended or revoked pursuant to subdivision (g) to submit proof  
34 of financial responsibility as defined in Section 16430. The proof  
35 of financial responsibility shall be filed on or before the date of  
36 reinstatement following the suspension or revocation. The proof  
37 of financial responsibility shall be maintained with the department  
38 for three years following the date of reinstatement.

39 (j) (1) Notwithstanding any other provision of this code, the  
40 department may issue a distinctive driver's license, that displays

1 a distinctive color or a distinctively colored stripe or other  
2 distinguishing characteristic, to persons at least 16 years of age  
3 and older but under 18 years of age, and to persons 18 years of  
4 age and older but under 21 years of age, so that the distinctive  
5 license feature is immediately recognizable. The features shall  
6 clearly differentiate between driver's licenses issued to persons at  
7 least 16 years of age or older but under 18 years of age and to  
8 persons 18 years of age or older but under 21 years of age.

9 (2) If changes in the format or appearance of driver's licenses  
10 are adopted pursuant to this subdivision, those changes may be  
11 implemented under any new contract for the production of driver's  
12 licenses entered into after the adoption of those changes.

13 (k) The department shall include, on the face of the provisional  
14 driver's license, the original issuance date of the provisional  
15 driver's license in addition to any other issuance date.

16 ~~(l) (1) A driving school owner shall certify to the department~~  
17 ~~under penalty of perjury that the driving instructors employed by~~  
18 ~~the school that teach phase two training as described in clause (ii)~~  
19 ~~of subparagraph (A) of paragraph (3) of subdivision (a) have taught~~  
20 ~~at least 2,000 hours of behind-the-wheel instruction and are~~  
21 ~~qualified to teach the advanced driving skills described in clause~~  
22 ~~(ii) of subparagraph (A) of paragraph (3) of subdivision (a). The~~  
23 ~~department may require verification of the 2,000 hours of~~  
24 ~~instruction through employment records.~~

25 ~~(2) Driving instructors teaching phase two training as described~~  
26 ~~in clause (ii) of subparagraph (A) of paragraph (3) of subdivision~~  
27 ~~(a) shall complete a minimum of six hours of crash avoidance~~  
28 ~~training in each succeeding three-year period following the~~  
29 ~~commencement of teaching the crash avoidance skills through~~  
30 ~~satisfactory completion of continuing education courses, or other~~  
31 ~~education, approved by the department. These courses shall satisfy~~  
32 ~~the continuing professional education requirement of paragraph~~  
33 ~~(2) of subdivision (c) of Section 11207.~~

34 ~~(3) The department may charge driving schools a fee to defray~~  
35 ~~its costs in approving integrated training plans pursuant to clause~~  
36 ~~(ii) of subparagraph (A) of paragraph (3) of subdivision (a) and in~~  
37 ~~implementing paragraphs (1) and (2).~~

38 ~~(4) Clause (ii) of subparagraph (A) of paragraph (3) of~~  
39 ~~subdivision (a) and paragraphs (1) to (3), inclusive, do not apply~~  
40 ~~to public or private secondary schools.~~

1     ~~(m)~~

2     ~~(l)~~ This section shall be known and may be cited as the  
3 Brady-Jared Teen Driver Safety Act of 1997.

4     ~~SEC. 3. No reimbursement is required by this act pursuant to~~  
5 ~~Section 6 of Article XIII B of the California Constitution because~~  
6 ~~the only costs that may be incurred by a local agency or school~~  
7 ~~district will be incurred because this act creates a new crime or~~  
8 ~~infraction, eliminates a crime or infraction, or changes the penalty~~  
9 ~~for a crime or infraction, within the meaning of Section 17556 of~~  
10 ~~the Government Code, or changes the definition of a crime within~~  
11 ~~the meaning of Section 6 of Article XIII B of the California~~  
12 ~~Constitution.~~

O